

REMARKS

Favorable reconsideration of this application, in light of the preceding amendments and following remarks, is respectfully requested.

Claims 1-15 and 21-42 are pending in this application. Claims 1-15 are amended. Claims 16-20 have been cancelled. Claims 1 and 12-15 are the independent claims.

Interview Summary

Applicant appreciates the time and consideration given by the Examiner during the telephone interview on May 10, 2010. During the interview, Applicant's representative and the Examiner discussed proposed claim amendments for overcoming the current § 101 rejections and placing the application, as a whole, in condition for allowance. At the conclusion of the interview, the Examiner agreed that Applicant's proposed amendments would overcome the pending rejections and all claims would be in condition for allowance.

Rejections under 35 U.S.C. § 101

Claims 1-11 are rejected under 35 U.S.C. § 101 because the Examiner asserts that in the state of the art, transitory signals are commonplace as a medium for transmitting computer instructions and thus, in the absence of any evidence to the contrary and give the broadest reasonable interpretation, the scope of a "computer readable medium" covers a signal per se.

Pursuant to the interview on May 10, 2010, the proposed amendments are submitted for placing each of the rejected claims in compliance with 35 U.S.C. § 101. Reconsideration and withdrawal of these rejections are respectfully requested.

CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of claims 1-11 in connection with the present application is earnestly solicited.


Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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By



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